IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12736 of 2004

Between:

S.Bishan Singh S/o S.Beeran Singh
H.No.2-3-239, New Sikh Wadi Karimnagar.

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep. by its Secretary, Revenue Deparatment , Secretariat, Hyderabad
2 The Commissioner of Land Revenue Nampally, Hyderabad
3 The District Collector, Karimnagar District, Karimnagar
4 The Commissioner, Karimnagar Municipality, Karimnagar
5 The Revenue Divisional Officer, Karimnagar
6 The Mandal Revenue officer, Karimnagar

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in having allotted 53 house sites in Sy.No.945 and 946 of Gouthami Nagar, Karimnagar as illegal, arbitrary, and violative of article 46 of the Constitution of India and consequently to cancel the 53 house sites pattas in Sy.No.945 and 946 , of Gouthami Nagar, Karimnagar , granted to ineligible persons in the interest of Justice.

Counsel for the Petitioner:MR.S.KULJEET SINGH

Counsel for the Respondent Nos 1 to 3, 5 and 6: GP FOR REVENUE

Counsel for the Respondent No.4: Mr.Thimma Reddy, Standing Counsel for Municipalities

The Court made the following :

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ORDER: (per Sri BRSR.J)

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and on their request the matter is taken up for disposal at the admission stage.

The gravamen of the complaint in the instant writ petition relates to the inaction on the part of the District Collector in making an appropriate enquiry into the representation made by the petitioner against the Mandal Revenue Officer in the matter of allotment of house sites in Gowthaminagar, Karimnagar town. Number of allegations are levelled inter alia complaining that house sites have been allotted irregularly and contrary to the scheme and the instructions issued by the Government from time to time. We are not inclined to examine the various objections raised by the petitioner in this regard since the representation made by the petitioner is yet to receive the required attention of the District Collector.

In the circumstances, the writ petition is disposed of directing the District Collector to make an enquiry into the matter and take appropriate action in accordance with law. It is needless to observe that on enquiry, if the Collector comes to the conclusion that irregularities have been committed in the matter of allotment of house sites, suitable remedial measures have to be taken by the Collector. Decision in this regard shall be taken by the Collector within a period of three months from the date of receipt of this order.

No costs.

(B.SUDERSHAN REDDY,J)

DT.27.7.2004

(K.C.BHANU,J)

Note:Furnish CC in 3 days

(B/o)

msv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary to Government

   Government of A.P., Revenue Deparatment ,

   Secretariat, Hyderabad

2. The Commissioner of Land Revenue, Nampally, Hyderabad
3. The District Collector, Karimnagar District, Karimnagar
4. The Commissioner, Karimnagar Municipality, Karimnagar
5. The Revenue Divisional Officer, Karimnagar
6. The Mandal Revenue officer, Karimnagar

7. Two CCs to the Government Pleader for Revenue, High Court Buildings, High Court of A.P., (OUT)

8. Two CD copies